

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327

(SEE ATTACHED SCHEDULE)

CONDITIONAL REMAND ORDER

The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the action(s) on this conditional remand order have been completed and that remand to the transferor court(s), as provided in 28 U.S.C. § 1407(a), is appropriate.

IT IS THEREFORE ORDERED that the action(s) on this conditional remand order be remanded to its/their respective transferor court(s).

IT IS ALSO ORDERED that, pursuant to Rule 10.2 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the transmittal of this order to the transferee clerk for filing shall be stayed 7 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Southern District of West Virginia.

IT IS FURTHER ORDERED that, pursuant to Rule 10.4(a), the parties shall furnish the Clerk for the Southern District of West Virginia with a stipulation or designation of the contents of the record to be remanded.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL No. 2327

SCHEDULE FOR CRO

TRANSFEREE	TRANSFEROR					
<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
WVS	2	12-00265	GAN	1	11-03903	Jackson v. Johnson & Johnson et al

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

DORIS CHAPPELL JACKSON,

Plaintiff,

v.

2:12-cv-00265

JOHNSON & JOHNSON, et al.,

Defendants.

ORDER AND SUGGESTION OF REMAND

Pursuant to 28 U.S.C. § 1407 and the Rules for Multidistrict Litigation promulgated thereunder, specifically Rule 10.1(b), the court suggests that this case be remanded to the United States District Court for the Northern District of Georgia. This case was transferred by the Judicial Panel on Multidistrict Litigation (“JPML”) and is related to MDL 2327 (“Ethicon MDL”), 2:12-md-2327, one of seven MDLs assigned to me by the JPML. The seven MDLs combined totaled over 100,000 cases since inception. Of the approximately 39,616 cases originally filed in or transferred to the Ethicon MDL, 1,199 remain. Of the remaining 1,199 cases, this case is ready to be transferred to the appropriate jurisdiction. In particular, the time to conduct discovery is complete, and the parties have had time to file dispositive and *Daubert* motions, responses and replies. For the convenience of the parties and in order to promote the final resolution of this case, it appears to the court that the case would be more expeditiously concluded in the district from which it came.

On or before **January 10, 2020 (7 days from the date of this order)**, the parties are **ORDERED** to confer and to file in this case, all documents from the main MDL that the parties jointly deem relevant to constitute an appropriate record for the receiving court to consider. When filing the documents from the main MDL, the parties are directed to use the CM/ECF event entitled “Designation of Record for MDL Transfers” (available under Civil > Other Filings > Other Documents). When completing the event, the “Main Document” should be the list of joint designations from the main MDL, and the “Attachments” should be each individual document on the joint designation list with the “Description” being the ECF number and a brief description of the document (i.e. ECF 96 – Defendant’s Motion for Summary Judgment).

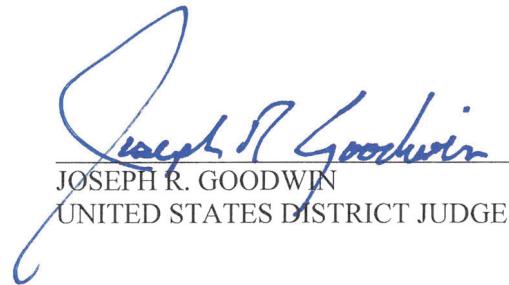
The court **ORDERS** that upon receipt and filing of an order to remand from the Clerk of the JPML (hereinafter the “Transfer Date”), the Clerk of this court, pursuant to 28 U.S.C. § 1407, shall remand this case to the Northern District of Georgia. If this case remains pending on the Transfer Date, it must be remanded, and the parties shall bear the consequences in the receiving court of any failure to prepare an appropriate record as directed in this order. The parties and the receiving court are advised that all Pretrial Orders entered in this matter are available for review on the court’s website at www.wvsd.uscourts.gov/MDL/2327/orders.html and the master docket sheet can be found on this court’s CM/ECF at 2:12-md-2327. *Finally, the court advises the parties that while the docket of the individual case will be remanded to the receiving court, it is the parties’ responsibility to follow the receiving court’s procedure for identifying any individual motions that remain pending and in need of ruling.*

On the Transfer Date, the Clerk is hereby **DIRECTED** to use the appropriate function in CM/ECF to extract this case and remand it to the Northern District of Georgia. After remand of

the case, the Clerk is **DIRECTED** to formally close the case and strike it from the docket of this court.

The court further **DIRECTS** that a copy of this Order and Suggestion of Remand be filed in this case and sent to the Clerk of the MDL Panel and counsel of record or any unrepresented party.

ENTER: January 3, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 1/17/2020 at 11:19 AM EST and filed on 1/17/2020

Case Name: IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2327](#)

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Remand Order Finalized on 1/17/20. Please see pleading (48 in GAN/1:11-cv-03903, [3645] in MDL No. 2327).

A copy of the transferee court's Suggestion of Remand from the transferee court is attached to the Conditional Remand Order.

As stipulated in Rule 10.2(b) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the remand. The 7-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The order was entered pursuant to 28 U.S.C. 1407(a) which provides that each action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. Parties are to furnish S.D. West Virginia with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to comply with the remand order.

Signed by Clerk of the Panel John W. Nichols on 1/17/2020.

Associated Cases: MDL No. 2327, GAN/1:11-cv-03903 (LAH)

Case Name: Jackson v. Johnson & Johnson et al

Case Number: [GAN/1:11-cv-03903](#)

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Remand Order Finalized on 1/17/20. Please see pleading (48 in GAN/1:11-cv-03903, [3645] in MDL No. 2327).

A copy of the transferee court's Suggestion of Remand from the transferee court is attached to the Conditional Remand Order.

As stipulated in Rule 10.2(b) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the remand. The 7-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The order was entered pursuant to 28 U.S.C. 1407(a) which provides that each action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred. Parties are to furnish S.D. West Virginia with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to comply with the remand order.

Signed by Clerk of the Panel John W. Nichols on 1/17/2020.

Associated Cases: MDL No. 2327, GAN/1:11-cv-03903 (LAH)

No public notice (electronic or otherwise) sent because the entry is private

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 1/17/2020 at 11:18 AM EST and filed on 1/17/2020

Case Name: IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2327](#)

Filer:

Document Number: [3645](#)

Docket Text:

CONDITIONAL REMAND ORDER FINALIZED (re: pldg. (46 in GAN/1:11-cv-03903, [3640] in MDL No. 2327)) - 1 action(s) - Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel John W. Nichols on 1/17/2020.

(Attachments: # (1) Suggestion of Remand)

Associated Cases: MDL No. 2327, GAN/1:11-cv-03903 (LAH)

Case Name: Jackson v. Johnson & Johnson et al

Case Number: [GAN/1:11-cv-03903](#)

Filer:

Document Number: [48](#)

Docket Text:

CONDITIONAL REMAND ORDER FINALIZED (re: pldg. (46 in GAN/1:11-cv-03903, [3640] in MDL No. 2327)) - 1 action(s) - Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel John W. Nichols on 1/17/2020.

(Attachments: # [1] Suggestion of Remand)

Associated Cases: MDL No. 2327, GAN/1:11-cv-03903 (LAH)

MDL No. 2327 Notice has been electronically mailed to:

Carl N Frankovitch carln@facslaw.com

Michael J. Farrell mjf@farrell3.com

Michael Bonasso mbonasso@fsblaw.com, etaylor@fsblaw.com, mdl@fsblaw.com, nthompson@fsblaw.com

Harry F Bell, Jr hfbell@belllaw.com

DAVID B. THOMAS dthomas@tcspllc.com, rdavis@tcspllc.com

Paul T. Farrell, Jr PAUL@GREENEKETCHUM.COM, lora@greeneketchum.com

Marc E. Williams marc.williams@nelsonmullins.com

MDL No. 2327 Notice will not be electronically mailed to:

GAN/1:11-cv-03903 Notice has been electronically mailed to:

James C Barton, Jr jim.barton@butlersnow.com

Thomas P. Cartmell tcartmell@wcllp.com, m.goldwasser@wcllp.com, tcartmell@wagstaffcartmell.net

William M. Gage william.gage@butlersnow.com, ashley.lampkin@butlersnow.com, brenda.jones@butlersnow.com, brian.jackson@butlersnow.com, catherine.mason@butlersnow.com, david.johnson@butlersnow.com, diane.wigley@butlersnow.com, ecf.notices@butlersnow.com, jackie.johnson@butlersnow.com

Amy Sherry Fischer amyfischer@oklahomacounsel.com

DAVID B. THOMAS (Terminated) dthomas@tcspllc.com, rdavis@tcspllc.com

Jeffrey M. Kuntz jkuntz@wcllp.com, dwatkins@wcllp.com, sgibson@wcllp.com

Nancy Karen Deming karen.deming@troutmansanders.com, kay.deming@troutmansanders.com

Philip J. Combs pcombs@tcspllc.com

S. Eric Rumanek eric.rumanek@troutmansanders.com

Douglas K Chia dougchia@soundboardgovernance.com

Sarah A. Martin sleonard@tcspllc.com

Kari L. Sutherland kari.sutherland@butlersnow.com

Susan M. Robinson srobinson@tcspllc.com

Diane K. Watkins dwatkins@wcllp.com

Caroline Dye Walker caroline.walker@butlersnow.com

GAN/1:11-cv-03903 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP JPMLStamp_ID=1090522767 [Date=1/17/2020] [FileNumber=964951-0]
[0285da12cd7f40db68fd782ece31d351dd59752b991920d4ed61d80e1fda4fca5e4e8
60fac200e6fc900a57fb4a878a501b1770010e20048c770a0c5af99c45e]]

Document description: Suggestion of Remand

Original filename: n/a

Electronic document Stamp:

[STAMP JPMLStamp_ID=1090522767 [Date=1/17/2020] [FileNumber=964951-1]
[c40837b11c5577c4e2a190bb12a13e47505b099102cf6de9285a14296a4cc8653c526
ce214aaaca5662a945c6be495e1a6eb1045583850b9b2ed44fa5cb93a9c]]